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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 9

THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS

Mr. Chernichenko, Mr. Diaz Uribe, Mrs. Gwanmesia, Mr. Joinet
and Mr. Park: draft decision

1997/... Report of the sessional working group
on the administration of justice

The Sub-Commission on Prevention of Discrimination and Protection of Minorities, having considered the report of the sessional working group on the administration of justice (E/CN.4/Sub.2/1997/21), decided (a) to transmit to the Human Rights Committee, through the Secretary-General, a copy of the report of its sessional working group on the administration of justice which contains a recommendation that the Human Rights Committee consider preparing a new general comment on article 4 of the International Covenant on Civil and Political Rights reaffirming the developing consensus that habeas corpus and the related aspects of amparo, as well as cognate rights, should be considered to be non-derogable; and (b) to call upon all States to incorporate in their domestic law provisions making habeas corpus a non-derogable right.